

**2014**

**SEVENTH SESSION**

**JULY 3, 2014**

The Board convened at 10:30 A.M. in the Supervisors' Chambers at the Court House, Lake Pleasant, New York, with the Chairman, William G. Farber presiding. Mr. Farber led the members of the Board of Supervisors in the Pledge of Allegiance to the Flag, and an opening prayer.

The Clerk, Mrs. Laura Abrams, called the roll with the following Supervisors answering:

Arietta	Richard A. Wilt
Benson	Phillip C. Snyder
Hope	Robert Edwards
Indian Lake	Brian Wells
Inlet	John Frey
Lake Pleasant	Neil P. McGovern
Long Lake	Clark J. Seaman
Morehouse	William G. Farber
Wells	Brian Towers

Also present: County Attorney, Elizabeth Mangle and Pete Klein

A motion was made to accept the minutes of June 5, 2014 by Mr. McGovern, seconded by Mr. Wells. Carried.

Public Comment: Soil and Water District Manager Ms. Elizabeth Mangle reviewed their summer projects.

Reports of Standings/Special Committees:

Mr. Towers: Inter-county was last Thursday in Blue Mountain Lake; they received a wonderful presentation by the Museum.

Mr. Wilt: Met with Avalon this morning and two new projects were approved.

Emergency Management met with Blue Wing to start working through the contract. They also discussed 911 surcharges, did it get to the County Attorney?

The Chairman stated that he didn't think so, there wasn't much direction on what we are looking at as far as how much we wanted for a surcharge. He wasn't sure how Mr. Wilt wanted to proceed.

Mr. Wilt stated that there is a limit.

The Chairman asked if Mr. Wilt is willing to prepare the Local Law to set the surcharge at the max, Mr. Wilt stated yes.

Mr. Frey asked if this was going to be countywide, even for those who are already paying for the 911 services. If so, he is strongly against it. Inlet taxpayers are paying for it, we are not charging the users; he feels this would be double charging.

Mr. Towers stated he feels that the committee still has some work to do ironing out the kinks.

The Chairman stated there may be a way to isolate the fees to offset what some towns are already paying for 911 services.

Mr. Edwards: Internal Management Committee met and completed evaluations for merit pay and is asking for support for Resolution No. 19.

**RESOLUTIONS:**

**RESOLUTION NO. 174-14**

**STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS**

**DATED: JULY 3, 2014**

**BY MR. WILT:**

WHEREAS, New York State Retirement Regulation 315.4 requires time logs, and the Board of Supervisors to set the Standard Work Day for Elected and Appointed Officials, and

WHEREAS, time logs have been kept and submitted, now, therefore, be it

RESOLVED, that the County of Hamilton here establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Board:

	Name	Social Security Number (Last 4 digits)	Reg. Number	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of activity)
<b>Elected Officials</b>							
Supervisor	Richard A. Wilt	██	██████	7	1/1/14-12/31/15	N	5.89
Supervisor	Phillip C. Snyder	██	██████	7	1/1/14-12/31/15	N	3.57
Supervisor	Brian Wells	██	██████	7	1/1/14-12/31/15	N	4.57
Supervisor	John Frey	██	██████	7	1/1/14-12/31/15	N	4.53
Supervisor	Neil P. McGovern	██	██████	7	1/1/14-12/31/15	N	4.13
Supervisor	William G. Farber	██	██████	7	1/1/14-12/31/15	N	17.33
Supervisor	Brian E. Towers	██	██████	7	1/1/14-12/31/15	N	5.62

County Clerk	Jane Zarecki	■	■	7	1/1/12-12/31/15	N	21.67
Treasurer	Beth Hunt	■	■	7	1/1/12-12/31/15	N	21.67
Sheriff	Karl G. Abrams	■	■	8	1/1/14-12/31/17	N	21.67
District Attorney	Marsha K. Purdue	■	■	7	1/1/12-12/31/15	N	26.8
<b>Appointed Officials</b>							
County Attorney	Charles R. Getty, Jr.	■	■	7	1/1/14-12/31/15	N	5.19
Assistant District Attorney	Sterling Goodspeed	■	■	7	1/1/12-12/31/15	N	13.95
Medical Director	David G. Welch, MD	■	■	7	1/1/91	N	1.68
Fire Coordinator	Jay Griffin	■	■	7	1/1/14-12/31/14	N	9.47
Coord. Of Public Defense	Katie Smith	■	■	7	2/7/13-5/31/15	N	.46
Director of Weights & Measures	Herb Schmid	■	■	7	1/1/14-12/31/15	N	4.82
Emergency Manager	G.L. Purdy, II	■	■	7	1/1/14-12/31/14	Y	
Director of Real Property	Barry Baker	■	■	7	10/1/13-9/30/19	Y	21.67
Commissioner of Social Services	Roberta Bly	■	■	7	7/1/12-6/30/17	Y	21.67
Personnel Officer	Kimberly Byrne	■	■	7	3/26/11-3/27/17	Y	19.83
Highway Superintendent	Tracy Eldridge	■	■	8	5/23/12-5/22/16	Y	21.67
Deputy Highway Superintendent	Kenneth Parslow	■	■	8	5/23/12-5/22/16	Y	21.67
Director of Public Health	Susan Franko	■	■	7	12/16/13	Y	21.67
Director of Patient Services	Beth Ryan	■	■	7	12/16/13	Y	21.67
Deputy Treasurer	Cindy Parslow	■	■	7	1/1/12-12/31/15	Y	21.67
Election Commissioner	Marie Buanno	■	■	7	1/1/13-12/31/16	Y	21.67
Election Commissioner	Cathleen Rogers	■	■	7	1/1/13-12/31/16	Y	21.67
Deputy County Clerk	Heather Farber	■	■	8	1/1/12-12/31/15	Y	21.67
Clerk of the Board	Laura Abrams	■	■	7	1/1/14-12/31/15	Y	21.67
Deputy Clerk of the Board	Cheryl Paestella	■	■	7	1/1/14-12/31/15	Y	21.67
Assist. Deputy Clerk of Board	Ashley Delong	■	■	7	1/1/14-12/31/15	Y	21.67
Director of Community Services	Robert Kleppang	■	■	7	8/23/99	Y	21.67
Probation Director	Amy Taylor	■	■	7	8/4/11	Y	21.67
Undersheriff	Kevin Braunius	■	■	8	1/1/14-12/31/17	Y	21.67

Seconded by Mr. Edwards and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN, FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 175-14**

**APPROVAL OF BIDS ON TAX PARCELS**

**DATED: JULY 3, 2014**

**BY MR. TOWERS:**

WHEREAS, Resolution No. 125-14 authorized the County of Hamilton to allow its parcels of real property acquired for non-payment of real property taxes to be sold at auction with Fulton County's properties by Haroff Auction & Realty, Inc. on June 18, 2014, at the Holiday Inn, Johnstown, New York, and

WHEREAS, attached hereto and made part hereof is Schedule "A" which contains the names of the high bidder, the tax parcel number, and the bid price for each parcel, and

WHEREAS, the Hamilton County Treasurer has reviewed the bids for each tax parcel and recommends that the Board of Supervisors approve the bids and sale of said parcels to the high bidders, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors, pursuant to Section 1166 of the Real Property Tax Law of the State of New York, does hereby approve the bid price for each map parcel shown on Schedule "A" and does hereby authorize the transfer of said property to the named high bidder subject to receipt of the entire bid amount along with associated transfer costs and the approval of the County Attorney, and be it further

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize the Chairman of the Hamilton County Board of Supervisors to execute Quit Claim Deeds for said tax map parcels to the high bidder and to execute all other necessary documents to transfer said tax map parcels to the high bidder.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**SCHEDULE "A"**

**Town of Lake Pleasant:**

Bidder:

Brian Sagatis & Donald Kaupelis            113.066-2-5    Bid Price \$ 13,500.00 Auction Property #1

**Town of Wells:**

Bidder:

Steven A. Welch                                130.010-3-3    Bid Price \$ 8,000.00 Auction Property #2

**RESOLUTION NO. 176-14**

**ADDITIONAL FUNDING FOR MICROFILM PROJECT – COUNTY CLERK**

**DATED: JULY 3, 2014**

**BY MR. FREY:**

WHEREAS, Resolution No. 89-14 increased County Clerk Account No. A1410.406 Microfilm by \$4,640.00 for the County Clerk’s Microfilm Project, and

WHEREAS, it has now been determined that the project was underfunded, be it

RESOLVED, that an additional \$4,760.45 be transferred from the Unappropriated General Fund Balance in accordance with Section 366 Subdivision 1 of the County Law to Account No. A1410.406 Microfilm to cover said project and the County Treasurer be so authorized.

Seconded by Mr. McGovern and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 177-14**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR SHERIFF’S GRANT  
LG13-1172-D00**

**DATED: JULY 3, 2014**

**BY MR. EDWARDS:**

WHEREAS, Hamilton County was notified by a letter dated July 12, 2013 from Senator Hugh T. Farley that the Senator was successful in obtaining a \$2,500 grant from the federal Ed Byrne Memorial Justice Assistance Grant Program for the Hamilton County Sheriff’s Office, and

WHEREAS, an application was submitted to DCJS to use these funds to purchase two new computers for the Sheriff's Office for TRACS and SJS, and

WHEREAS, said application has now been approved by DCJS, be it

RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign Contract No. T139884 for said grant in the amount of \$2,500, and be it further

RESOLVED, that Account No. A3110.415 Sheriff Computer System Grant be hereby created and funded at \$2,500 to be totally offset by creating and funding Revenue Account No. A4389.113 Federal Aid Sheriff Computer System Grant in the amount of \$2,500 and the County Treasurer be so authorized.

Seconded by Mr. Snyder and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

#### **RESOLUTION NO. 178-14**

#### **AMENDING RESOLUTION NO. 73-14 - CONTRACT WITH VETERINARIAN FOR RABIES VACCINATION CLINICS**

**DATED: JULY 3, 2014**

**BY MR. SEAMAN:**

WHEREAS, Resolution No. 73-14 adopted on March 6, 2014 authorized a contract with Alison Flanigan, DVM, of Lake Placid, NY for veterinarian services at a rate of \$75.00/clinic hour plus travel reimbursement at the prevailing county mileage rate, and to be reimbursed \$20/clinic hour plus travel reimbursement at the prevailing county mileage rate to cover the expense of an animal handler supplied by Lake Placid Animal Hospital, and

WHEREAS, it is the desire of the Director of Public Health to reimburse Dr. Flanigan at a rate of \$75.00 per hour, to include travel time and two clinic hours plus travel reimbursement at the prevailing county mileage rate and to reimburse Dr. Flanigan \$20.00 per hour, to include travel time and two clinic hours plus travel reimbursement at the prevailing county mileage rate to cover the expense of an animal handler supplied by Lake Placid Animal Hospital, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to sign an amendment to the contract with Alison Flanigan, DVM, to provide veterinary services at HCPHNS rabies clinics, at a rate of \$75.00 per hour, to include travel time and two clinic hours plus travel reimbursement at the prevailing county mileage rate and to reimburse Dr. Flanigan \$20.00 per hour, to include travel time and two clinic hours plus travel reimbursement at the prevailing county

mileage rate to cover the expense of an animal handler supplied by Lake Placid Animal upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. Towers and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 179-14**

**AUTHORIZING CONTRACT WITH PEER COUNSELOR FOR WOMEN, INFANTS,  
AND CHILDREN (WIC) PROGRAM**

**DATED: JULY 3, 2014**

**BY MR. SEAMAN:**

WHEREAS, according to the NYS Department of Health, the local health department provides administration of WIC program initiatives, and

WHEREAS, according to WIC program requirement, the Hamilton County Nursing Service (HCPHNS) must provide a Peer Counselor to assist mothers in the successful breast feeding of their children, and

WHEREAS, Demecia Lloyd of Saratoga Springs, NY is currently active as a Peer Counselor in Saratoga County, and also previously active as a Peer Counselor in Rensselaer County, and as such has all the training to provide Peer Counselor services to mothers living in Hamilton County, and

WHEREAS, Demecia Lloyd has agreed to maintain any ongoing training required of her to maintain her Peer Counselor designation, and

WHEREAS, Demecia Lloyd will be reimbursed at a rate of \$10.00 per hour plus travel reimbursement at the prevailing county mileage rate, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to enter into a contract with Demecia Lloyd to provide Peer Counselor services to mothers in Hamilton County, as described above, to begin August 1, 2014 to July 31, 2015 upon approval of the County Attorney and the County Treasurer be so notified.

Seconded by Mr. Wells and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 180-14**

**AGREEMENT BETWEEN COUNTY OF HAMILTON AND THE TOWN OF LAKE PLEASANT – TENNIS COURT**

**DATED: JULY 3, 2014**

**BY MR. TOWERS:**

WHEREAS, the County of Hamilton is the owner of the tennis courts located on County-owned property in the Town of Lake Pleasant, and

WHEREAS, the Town of Lake Pleasant has operated and maintained the tennis courts as part of the Town's recreational program, now, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors does hereby authorize a new 10 year lease of the tennis courts to the Town of Lake Pleasant at the annual rent of One Dollar (\$1.00), providing the Town of Lake Pleasant assumes the responsibility of operating and maintaining the tennis courts and providing the Town of Lake Pleasant will indemnify and hold the County of Hamilton harmless from any and all liability as a result of such lease, and be it further

RESOLVED, that the Chairman is hereby authorized to enter into a lease agreement for the period of July 1, 2014 – June 30, 2024 with the Town of Lake Pleasant, which lease will be prepared by the County Attorney's Office.

Seconded by Mr. Edwards and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 181-14**

**AUTHORIZING PAYMENT FOR PETROLEUM BULK STORAGE REGISTRATION RENEWAL FOR LONG LAKE COUNTY HIGHWAY GARAGE**

**DATED: JULY 3, 2014**

**BY MR. SNYDER:**

WHEREAS, the Petroleum Bulk Storage (PBS) 5 year registration renewal fee is due, and



WHEREAS, the New York State Department of Environmental Conservation will not accept vouchers for the renewal of the registration, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment for registration renewal fees of \$500.00 for the County's PBS located at the Long Lake Highway Garage, and be it further

RESOLVED, that the County Treasurer is hereby authorized to make a check payable to the New York State Department of Environmental Conservation in the amount of \$500.00 for the said PBS renewal and the funds be taken out of Account No. DM5130.0405 Gas & Diesel and the County Highway Superintendent and Clerk of the Board be so notified.

Seconded by Mr. Wilt and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 182-14**

**SUPPORTING ESSEX COUNTY'S GRANT APPLICATION ON BEHALF OF THE 5  
TOWNS UPPER HUDSON RECREATION HUB**

**DATED: JULY 3, 2014**

**BY MR. SEAMAN:**

WHEREAS, Essex County is applying for a grant from the Adirondack Park Upper Hudson Recreation Hub which is funded by The Nature Conservancy and administered by the Natural Heritage Trust in partnership with the NYS Department of Environmental Conservation, and

WHEREAS, said application is on behalf of the Upper Hudson Recreation Hub – the Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson, and

WHEREAS, said grant application is in the amount of \$500,000 for the Towns of Minerva, North Hudson, Newcomb, Long Lake and Indian Lake, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisor's hereby supports Essex County's application for a grant from the Adirondack Park Upper Hudson Recreation Hub in the amount of \$500,000.

Seconded by All and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,

FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 183-14**

**AUTHORIZING ACCEPTANCE OF BACK TAXES**

**DATED: JULY 3, 2014**

**BY MR. EDWARDS:**

WHEREAS, the Board of Supervisors has been contacted by Brian Farrell concerning the 2012 and 2013 taxes owed on property located in Indian Lake, with parcel ID #56.015-1-84, and

WHEREAS, Brian Farrell has submitted a written explanation of the circumstances of why the taxes have not been paid to date and a request to rectify the situation by paying the 2012 and 2013 back taxes, be it

RESOLVED, that the Hamilton County Treasurer is hereby authorized to accept payment of the taxes owed in the amount of \$13,246.92 together with an administrative charge of \$500.00 for a total of \$13,746.92.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, FREY, MCGOVERN, SEAMAN, FARBER AND TOWERS

NAYS: NONE

ABSTAIN: WELLS

**RESOLUTION NO. 184-14**

**APPOINTMENTS TO THE FISH AND WILDLIFE MANAGEMENT BOARD**

**DATED: JULY 3, 2014**

**BY MR. TOWERS:**

WHEREAS, John Casey was appointed as Sportsman Representative to the NYS Fish & Wildlife Management Board Region 5 by Resolution No. 20-14 dated January 6, 2014, and

WHEREAS, John Casey has decided to not fill the appointment, be it

RESOLVED, that the following appointments be affirmed and made to NYS Fish & Wildlife Management Board Region 5:

January 1, 2013 – December 31, 2014	Kim Mitchell, Landowner Rep.
January 1, 2013 – December 31, 2014	Edward Sherman, Landowner Rep. Alternate
January 1, 2014 – December 31, 2015	Neil McGovern, Supervisor Rep.
January 1, 2014 – December 31, 2015	Clark J. Seaman, Supervisor Rep. Alternate
January 1, 2014 – December 31, 2015	Robert Ennist, Sportsman Rep.
January 1, 2014 – December 31, 2015	Lawrence P. Foy, Sportsman Rep. Alternate

Seconded by Mr. McGovern and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 185-14**

**AUTHORIZING RELEASE OF PART OF MORTGAGED PREMISES AND THE  
CHAIRMAN TO SIGN SAME– HOME GRANT**

**DATED: JULY 3, 2014**

**BY MR. SEAMAN:**

WHEREAS, Resolution No. 63-13 dated March 7, 2013 authorized a “Release of Part of Mortgaged Premises” on premises that Hamilton County holds a second mortgage on, per HOME grant project completed in October of 2009, that are owned by Robert and Donna Adams in the Town of Long Lake, and

WHEREAS, the said homeowner has an opportunity to sell an additional acre of the 20+ acre parcel, and

WHEREAS, there will be sufficient remaining equity to secure the County’s interest, and

WHEREAS, the improved residence does not sit on the acre to be sold, and

WHEREAS, Avalon Associates, Inc. has advised that there is no reason that Hamilton County should not execute said release, therefore, be it

RESOLVED, that the Hamilton County Board of Supervisors, with the approval of the County Attorney, hereby authorizes the Chairman’s execution of same requested ‘Release of Part

of Mortgaged Premises' contingent upon receipt of payment of current real property taxes for the Adams' premises, namely, 2014 Town & County and 2013-14 School taxes.

Seconded by Mr. Wells and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 186-14**

**AUTHORIZING CHAIRMAN TO SIGN CONTRACT WITH AGRICULTURE &  
MARKETS "PETROLEUM PRODUCT QUALITY PROGRAM" - APRIL 1, 2014-  
MARCH 31, 2019**

**DATED: JULY 3, 2014**

**BY MR. WELLS:**

BE IT RESOLVED, that the Chairman of the Hamilton County Board of Supervisors is hereby authorized to sign Contract No. T011514 with NYS Department of Agriculture & Markets for the "Petroleum Product Quality Program" for the period of April 1, 2014-March 31, 2019 and the County Treasurer be so advised.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 187-14**

**AUTHORIZING TEMPORARY REGISTERED PROFESSIONAL NURSE – CHHA**

**DATED: JULY 3, 2014**

**BY MR. SEAMAN:**

WHEREAS, there is a need to provide nursing services to the residents of Hamilton County, and

WHEREAS, the Certified Home Health Agency has an opening for a nursing position to help cover the CHHA for paid time off and surges in patient census, and

WHEREAS, there is a Registered Nurse available to work in the Certified Home Health Agency on a per diem basis, therefore, be it

RESOLVED, that the Director of Public Health is authorized to hire Beth Waldron, RN as a Temporary Registered Professional Nurse at a rate of \$20.00 per hour rate, effective August 1, 2014 – July 31, 2015 for a total number of hours not to exceed 364 hours, and be it further

RESOLVED, that Account No. A4010.113 Temporary Registered Professional Nurse continues to be used as created by Resolution No. 141-11 and the Personnel Officer be so notified and the County Treasurer be so authorized.

Seconded by Mr. McGovern and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 188-14**

**AUTHORIZING PUBLIC HEALTH DIRECTOR TO USE COUNTY CAR**

**DATED: JULY 3, 2014**

**BY MR. EDWARDS:**

WHEREAS, the Public Health Nursing Service has professionals in the Certified Home Health Agency and Public Health Programs, and

WHEREAS, Susan M. Franko is the Director of Hamilton County Public Health Nursing Service and as such is responsible to respond to any emergency within the Public Health Nursing Service and any Public Health emergency within the County, be it

RESOLVED, that she may drive the County vehicle assigned to her to and from her home in Johnstown, NY on weekends and holidays, as she maintains a work-week residence in Indian Lake, NY as the Director of Public Health Nursing Service, and the Personnel Officer and County Treasurer be so advised.

Seconded by Mr. Seaman and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 189-14**

**AUTHORIZING PAYMENT FOR PAVING**

**DATED: JULY 3, 2014**

**BY MR. MCGOVERN:**

WHEREAS, the G. H. Wood Co. provided paving for the County Highway Department for Browns Brook Bridge located on County Route 12, Cedar River Road, and

WHEREAS, the County Highway Superintendent recommends payment for the said services, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment in the amount of \$1,975.00 out of Account No.D5120.2002 Browns Brook Bridge to:

G.H. Wood Co.  
PO Box 650  
Lake Pleasant, NY 12108,

for the services provided for paving Browns Brook Bridge and the County Treasurer be so authorized and the Clerk of the Board and County Highway Superintendent be so advised.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

After the following resolution was placed on the floor; Mr. Towers asked if there was a way to do this next year that won't require Mr. Eldridge having to pay and get reimbursed. The Chairman stated yes, Mr. Eldridge has already addressed the issue with the garden club.

Mr. McGovern stated this is a wonderful volunteer service that is done by the local garden club. The Town of Lake Pleasant gives them the ability to charge up to a certain amount at a local market.

**RESOLUTION NO. 190-14**

**AUTHORIZING PAYMENT FOR GARDEN SUPPLIES**

**DATED: JULY 3, 2014**

**BY MR. MCGOVERN:**

WHEREAS, the Speculator Garden Club maintains the garden located in front of the court house, and

WHEREAS, every year the Buildings Department supplies the Garden Club with needed replacement flowers and/or plants, and

WHEREAS, this year the cost of the flowers, plants and supplies were \$182.88 and Buildings Superintendent Tracy J. Eldridge wrote a personal check for the said supplies, be it

RESOLVED, that the Hamilton County Board of Supervisors do hereby authorize payment of \$182.88 out of Account No. A1620.401 Lawn Expenses to Tracy J. Eldridge for the reimbursement of garden supply charges for the upkeep of the garden in front of the court house and the County Treasurer be so authorized and the Clerk of the Board and County Building Superintendent be so advised.

Seconded by Mr. Wells and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 191-14**

**APPROVAL OF EXPENDITURE FOR PAVEMENT MAINTENANCE ON VARIOUS  
COUNTY ROADS 2014**

**DATED: JULY 3, 2014**

**BY MR. EDWARDS:**

WHEREAS, there has been appropriated in the 2014 Highway budget the sum of \$450,000.00 for asphalt for maintenance of County Roads, and

WHEREAS, there are roads that need to have Micro Paving or Hot Mix Asphalt overlay treatments to keep the road in overall good condition, and

WHEREAS, the County Highway Superintendent recommends the approval of the following location to have pavement maintenance completed,

County Route 7, Hope Falls Road, Town of Hope  
Approx. 1.5 miles.....Est. \$150,000.00

and

WHEREAS, purchase costs estimates are under New York State Contract pricing which are subject to Escalation/De-escalation and above costs are based on estimates of current pricing, and

WHEREAS, the above designated road is on a completed system of the Hamilton County road map adopted by the Board of Supervisors of Hamilton County and approved by the Commissioner of Transportation, be it

RESOLVED, that the Board of Supervisors of the County of Hamilton does approve the said Hot Mix Asphalt project and funds be taken from Account No. D5110.404 Asphalt and Emulsion in the estimated amount sum of \$150,000.00 as recommended by the County Highway Superintendent and the County Treasurer and Clerk of the Board be so advised.

Seconded by Mr. Snyder and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

#### **RESOLUTION NO. 192-14**

#### **APPROVAL OF AND TRANSFER OF FUNDS FOR 2014 MERIT PAY**

**DATED: JULY 3, 2014**

**BY MR. MCGOVERN:**

WHEREAS, the Hamilton County Board of Supervisors has instituted a merit system for county employees, and

WHEREAS, the Internal Management Committee met on June 23, 2014 to review merit evaluations, be it

RESOLVED, that the Internal Management Committee recommends the following hourly merit increments:

#### COUMMUNITY SERVICES

Paige Benton	July 18, 2014 to July 18, 2015	\$ .99
Noni Irish	July 28, 2014 to July 28, 2015	\$1.32

#### SHERIFF

Jay Griffin	July 1, 2014 to July 1, 2015	\$ .88
Margaret Griffin	July 1, 2014 to July 1, 2015	\$ .88
Brian Hutchins	July 12, 2014 to July 12, 2015	\$1.32
William Witts	July 23, 2014 to July 23, 2015	\$1.65



HIGHWAY

Bonnie Barton	July 10, 2014 to July 10, 2015	\$1.43
Daniel Fish	July 16, 2014 to July 16, 2015	\$1.65
Gregory Foster	July 10, 2014 to July 10, 2015	\$1.10
Andrew Seymour	July 16, 2014 to July 16, 2015	\$1.10

SOCIAL SERVICES

Beth King	July 7, 2014 to July 7, 2015	\$1.54
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and be it further

RESOLVED, that the following transfers be made to cover the above 2014 merit pay:

FROM:	A1990.402	Contingent for Merit	\$21,518.53
TO:	A4310.104	Clerk	\$1,480.71
	A4310.113	Clinical Social Worker	\$2,297.68
	A3150.107	Correction Officer G	\$1,372.80
	A3150.108	Correction Officer H	\$1,372.80
	A3150.102	Correction Officer B	\$2,634.72
	A1620.106	Cleaner	\$2,985.84
	A1620.102	Senior Custodian	\$3,198.80
	DM5130.101	Mechanics	\$2,296.80
	D5110.101	Personal Service	\$1,064.80
	A6010.120	Social Welfare Examiner C	\$2,813.58

and the County Treasurer be so authorized and Personnel Officer be notified.

Seconded by Mr. Edwards and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 193-14**

**APPROVAL OF AUDITS IN COUNTY HIGHWAY FUNDS**

**DATED: JULY 3, 2014**

**BY MR. TOWERS:**

RESOLVED, that the bills in the Machinery Fund amounting to \$86,172.78 and bills in the County Road Fund amounting to \$12,774.32 presented by the County Superintendent of Highways and audited this day by the County Public Works Committee, be, and the same hereby are approved and audited.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**RESOLUTION NO. 194-14**

**APPROVAL OF AUDITS IN THE COUNTY GENERAL FUND**

**DATED: JULY 3, 2014**

**BY MR. FREY:**

RESOLVED, that the bills audited this day in the County General Fund in the amount of \$251,465.35 by the following committees:

Building Committee .....	\$12,670.77
Public Works (Solid Waste) Committee .....	43,105.42
Finance Committee .....	85,083.48
Health Committee.....	22,475.49
Human Services Committee.....	32,921.88
Central Government Committee .....	30,317.10
Emergency Prep./Emergency Response.....	20,776.28
Publicity, Tourism, Economic Development & Planning Committee.....	3,136.52
Internal Management Committee .....	978.41

are hereby approved.

Seconded by Mr. Towers and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

Mr. Snyder had a question regarding Resolution No 9, the whole grant is \$500,000? The Chairman stated yes. Mr. Snyder reported that the Town of Benson is applying for part of it.

The Chairman explained that it is the Adirondack Recreational Hub and yet it is open to all the communities. It was open to every town that the purchase touched. The Chairman continued to explain.

Mr. Towers asked when the applications are due, the Chairman replied the 18<sup>th</sup>.

Mr. Snyder stated that the Town of Benson is only asking for \$10,000.

For the next resolution the Chairman explained that the Town of Long Lake is having a noise issue that they are dealing with. It has prompted the Chairman, Sheriff and the District Attorney to go back and scrutinize the County Noise Ordinance.

The Chairman handed out a sample resolution and amendment to Local Law No. 4 of 1988.

Mr. Seaman stated the \$100 fine is not much of a penalty.

The Chairman reported that the County Attorney has not found precedent for a \$2,000 level of fine. County Attorney Getty stated there is a limitation on the amount that you are going to be able to set. He is going to look into it further.

Mr. McGovern asked if this covers decibels and times, Mr. Towers stated it does.

The Chairman reported that he would get the original Local Law to all of them.

Mr. Towers asked if there is a mechanism for someone to ask for a permit to exceed the noise level.

The Chairman stated there is one for a variance under the Local Law and that variance and the ability to grant that is vested back in the towns. As much as it is a County Local Law, on a town by town basis through the town board you would have the ability to issue a variance to the Local Law.

Mr. Towers asked if the town board is under any requirements of holding a public hearing.

County Attorney Getty stated there are requirements for public notices.

#### **RESOLUTION NO. 195-14**

**AUTHORIZING A PUBLIC HEARING TO CONSIDER PROPOSED LOCAL LAW NO. 9 OF 2014 AMENDMENT TO LOCAL LAW NO. 4 OF THE YEAR 1988 ENTITLED “ A LOCAL LAW TO REGULATE AND PROHIBIT THE MAKING OF UNNECESSARY LOUD AND DISTURBING NOISES WITHIN THE COUNTY OF HAMILTON”**

**DATED: JULY 3, 2014**

**BY MR. MCGOVERN:**

RESOLVED, that Proposed Local Law No. 9 of 2014 Titled “AMENDMENT TO LOCAL LAW NO. 4 OF THE YEAR 1988 ENTITLED “A LOCAL LAW TO REGULATE AND PROHIBIT THE MAKING OF UNNECESSARY LOUD AND DISTURBING NOISES WITHIN THE COUNTY OF HAMILTON”, attached hereto and made a part hereof, be, and the same hereby is introduced before the Hamilton County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of supervisors shall hold a public hearing at the Supervisors’ Rooms in the Hamilton County Municipal Building on the 7<sup>th</sup> day of August, 2014, at 11:00 AM, on the matter of the adoption of said proposed Local Law No 9 of 2014, entitled “AMENDMENT TO LOCAL LAW NO. 4 OF THE YEAR 1988 ENTITLED “A LOCAL LAW TO REGULATE AND PROHIBIT THE MAKING OF UNNECESSARY LOUD AND DISTURBING NOISES WITHIN THE COUNTY OF HAMILTON”, and it be further

RESOLVED, that the Clerk of the Board of Supervisors be, and she hereby is authorized and directed to give notice of such public hearing in the manner provided by law.

Seconded by Mr. Frey and adopted by the following vote:

AYES: WILT, SNYDER, EDWARDS, WELLS, FREY, MCGOVERN, SEAMAN,  
FARBER AND TOWERS

NAYS: NONE

**COUNTY OF HAMILTON**

**PROPOSED LOCAL LAW NO. 9 OF 2014**

**AMENDMENT TO LOCAL LAW NO. 4 OF THE YEAR 1988 ENTITLED “A LOCAL LAW TO REGULATE AND PROHIBIT THE MAKING OF UNNECESSARY LOUD AND DISTURBING NOISES WITHIN THE COUNTY OF HAMILTON**

BE IT ENACTED, by the Board of Supervisors of the County of Hamilton, as follows:

**Section I – Legislative Intent**

The intent of this amendment is to reflect the change in value of a dollar, from 1988 to present.

**Section II – Section 5 is hereby replaced as follows:**

Section 5. Violations and Penalties: Any person who violates any of the provisions of this law shall be guilty of a violation and shall be punished as follows: upon conviction for the first offense, by a fine of not more than \$500.00, or by imprisonment for not more than five days, or both; upon conviction for each and every violation thereafter, by a fine of not more than \$2,000.00

and not less than \$500.00, or by imprisonment for not more than fifteen days, or both; each day that a violation is permitted to exist shall constitute a separate offense.

**Section III** – this Local Law shall take effect immediately upon its adoption and being filed in the Secretary of State’s Office of the State of New York.

Other Reports:

Mr. Towers: Do we have a centralized plan for purchasing computers. Clerk of the Board Ms. Laura Abrams replied no, every department does their own purchasing.

Mr. Frey: Invited everyone to attend the fireworks in Inlet.

Mr. McGovern: Thanked the Chairman and County Highway Superintendent Eldridge for the newly paved roads.

Mr. Frey added his thanks for the work that they are doing on Route 28. With all the meetings that they have had with DOT and Albany they are now listening. We have offered to help on some of their projects.

The Chairman announced the Review Board met in Herkimer County on June 25<sup>th</sup>. They discussed the prior APA meeting regarding the Essex Chain UMP.

Mr. Wickes and Mr. Purdy held the Emergency Council meeting June 25<sup>th</sup>. They reviewed the mock casualty drill, talked about financials. They are still waiting for payment from the State for the classes that tested out last March. They did not do their election of officers because one of the people who indicated a willingness was not able to attend the meeting.

For the Common Ground Forum this year they are going to be talking about the Constitutional Amendment along with the part of the mapping project that AATV did.

There will be an Internal Management Committee meeting at 1pm on the 21<sup>st</sup> to review the department head evaluations followed by our regular committee day on July 28<sup>th</sup>.

As there was no further business, motion to adjourn by Mr. Wells, seconded by Mr. Frey. Carried.